

Waynesville, in Haywood county, within four years from the time they shall get possession of the Western North Carolina Railroad. That the said company shall not at any one time continuously for two months, suspend work upon said road, and if the said company shall fail to comply in any of the above several respects with the provisions of this section, then they shall pay as liquidated damages to the State of North Carolina one hundred thousand dollars for each and every failure or non-compliance.

Discrimination.

SEC. 13. The said corporation shall have no power to discriminate in the tariff for passengers or freight against any railroad constructed west of Asheville in the direction of Ducktown, or against the Carolina Central Railway Company connecting or which may connect with the line of road or roads to be built under the provisions of this act.

Purchaser to succeed to rights, etc.

SEC. 14. That should the Western North Carolina Railroad, that is to say, the Eastern Division of the same be sold either publicly or privately by commissioners, or any person empowered to make a sale of said road, by any act or resolution passed during the present session of the General Assembly, or at any future session or by or under any decree of any court made or hereafter to be made, the purchaser or purchasers at any such sale shall be, and they are hereby constituted incorporators under this act, and shall succeed to all the franchises, privileges and immunities of the said Western North Carolina Railroad Company, upon their complying with the provisions of this act, as fully and completely as if they were the original incorporators herein named.

Repealing clause

SEC. 15. That all laws and clauses of laws in conflict with any of the provisions of this act be and the same are hereby repealed.

When act to be in force.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified the 3d day of March, 1873.